

**PATENT APPLICATION
DOCKET NO. 200309706-1****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S): B. Mark Hirst et al **CONFIRMATION NO.:** 5015
SERIAL NO. 10/685,322 **GROUP ART UNIT:** 2854
FILED: 10/14/2003 **EXAMINER:** Yan, Ren Luo
SUBJECT: IMAGING DEVICE COOLING SYSTEM

DECLARATION UNDER 37 C.F.R. 1.131

Commissioner for Patents
Washington, D.C. 20231

Sir:

We, B. Mark Hirst and Richard L. Swantner, state and declare that:

1. Each of us are the inventors of at least one of claims 1, 2, 6, 7, 9-12, 16-19, 21-24, 28, 29, 31-34, 38, 39, and 41-47 currently pending in U.S. Patent Application Serial No. 10/685,322, filed on October 14, 2003 and entitled "IMAGING DEVICE COOLING SYSTEM".

2. We understand that in an Office Action mailed September 22, 2005 claims 1, 2, 6, 7, 9-12, 16-19, 21-24, 28, 29, 31-34, 38, 39, and 41-47 were rejected under 35 U.S.C. § 103(a) as being obvious over Japanese patent number JP401120342A (hereinafter referred to as '342) in view of published United States patent application number 2003/0184941 naming Maeda et al (hereinafter referred to as Maeda) as an inventor.

3. We understand, based on the information provided on the front page of Maeda, that Maeda was filed in the United States on March 13, 2003.

4. Prior to March 13, 2003, we conceived in the United States the invention described in claims 1, 2, 6, 7, 9-12, 16-19, 21-24, 28, 29, 31-34, 38, 39, and 41-47 of the above-referenced application as evidenced by the attached Exhibit A referenced herein.

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5. Exhibit A is a redacted copy of an invention disclosure having a date of submission prior to March 13, 2003, disclosing features of the apparatus recited in claims 1, 2, 6, 7, 9-12, 16-19, 21-24, 28, 29, 31-34, 38, 39, and 41-47.

6. We hereby declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Dec. 22, 2005

By: B. Mark Hirst
B. Mark Hirst

Date: _____

By: _____
Richard L. Swantner

5. Exhibit A is a redacted copy of an invention disclosure having a date of submission prior to March 13, 2003, disclosing features of the apparatus recited in claims 1, 2, 6, 7, 9-12, 16-19, 21-24, 28, 29, 31-34, 38, 39, and 41-47.

6. We hereby declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: _____

By: _____

B. Mark Hirst

Date: December 23, 2005

By: Richard L. Swantner
Richard L. Swantner